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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/569,788	10/24/2006	Hideo Imaizumi	14225-095US1 F1040665WO00	6565
26211	7590	05/08/2008	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			KALAM, ABUL	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/569,788	<b>Applicant(s)</b> IMAIZUMI ET AL.	
	<b>Examiner</b> Abul Kalam	<b>Art Unit</b> 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 8-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/24/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group III, including claims 16-18, in the reply filed on February 25, 2008, is acknowledged.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 16-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Oka et al. (US 5,631,609) in view of Funahara et al. (US 2001/0015595).

With respect to claim 16, Oka teaches a circuit device (13, FIGs. 1-4) comprising:

a first circuit element (3, FIG. 1a; col. 7, Ins. 22-25);

a second circuit element (7, FIG. 1a; col. 7, Ins. 29-34) electrically connected to the first circuit element (col. 7, Ins. 34-38); and

a sealing resin (col. 8, Ins. 41-51: "molding resin") covering the first and second circuit elements (device 13 comprises elements 3 and 7), wherein the first and second circuit elements (13) are sealed by enclosing the sealing resin from a gate (40, FIG. 4a; col. 8, Ins. 47-51) in a cavity molded with a mold (FIG. 4c), and a distance between the first circuit element (3) and the gate (40) is longer than a distance between the second (7) circuit element and the gate (40) (FIGs. 1a and 4a-4c).

Although Oka teaches that the first circuit element is a integrated chip including an oscillating circuit (col. 7, Ins. 22-25), Oka does not disclose a hollow within the first circuit element. Thus, Oka teaches all the limitations of claim with the exception of explicitly disclosing wherein the first circuit element has a hollow therein. However, Funahara teaches an analogous circuit device with a chip oscillating circuit element (2, FIG. 3) having a hollow therein (4, FIG. 3; ¶ [0027]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Funahara into the device of Oka, to form the first circuit element with a hollow therein, for the purpose of mounting the circuit elements of the integrated circuit in the hollow region (¶ [0030]).

With respect to claim 17, Oka teaches wherein the gate (40, FIG. 4a) is positioned at an edge in a lengthwise region of the sealing resin (FIGs. 4a-4c), and the first circuit element (3, FIG. 1a) is disposed in a vicinity of the edge opposed to the gate (40, FIG. 4a).

With respect to claim 18, Oka teaches wherein the second circuit element (7, FIG. 1a) is disposed in a vicinity of a central area of the sealing resin (FIGs. 4a-4c), and the first circuit element (3) is disposed in a more peripheral area than the second circuit element (7, FIG. 1a).

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abul Kalam whose telephone number is (571)272-8346. The examiner can normally be reached on Monday - Friday, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael M. Fahmy can be reached on 571-272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. K./  
Examiner, Art Unit 2814

/Phat X Cao/  
Primary Examiner, Art Unit 2814